1 2	Gregory L. Diskant (admitted <i>pro hac vice</i> ) Eugene M. Gelernter ( <i>admitted pro hac vice</i> )	William Rudy (admitted <i>pro hac vice</i> ) John J. Shaeffer (S.B. # 138331) Left Grant (S.B. # 218074)
3	PATTERSON BELKNAP WEBB & TYLER LLP 1133 Avenue of the Americas	Jeff Grant (S.B. # 218974) FOX ROTHSCHILD LLP
	New York, NY 10036-6710	1800 Century Park East, Suite 300 Los Angeles, CA 90067-1506
4	Telephone: (212) 336-2000	Telephone: (310) 598-4150
5	Facsimile: (212) 336-2222	Facsimile: (310) 556-9828 Email: jshaeffer@foxrothschild.com
6	E-Mail: gldiskant@pbwt.com emgelernter@pbwt.com	wrudy@foxrothchild.com jgrant@foxrothchild.com
7	Charles Hoffmann (admitted pro hac vice)	Attorneys for Defendants Decision Diagnostics
8	Sean Marshall (admitted <i>pro hac vice</i> ) HOFFMANN MARSHALL STRONG LLP	Corp. and PharmaTech Solutions, Inc
9	116 West 23rd Street New York, NY 10011	
10	Telephone: (212) 851-8403	
11	Email: charlie@hms.com sean@hms.com	
12	Sue Roeder (S.B. #160897)	
13	O'MELVENY & MYERS LLP	
	2765 Sand Hill Road	
14	Menlo Park, CA 94025 Telephone: (650) 473-2600	
15	Facsimile: (650) 473-2601	
16	E-Mail: sroeder@omm.com	
17	Attorneys for Plaintiffs LifeScan, Inc,	
18	and Johnson and Johnson	
19		
20	UNITED STATES DISTRICT COURT	
	NORTHERN DISTR	ICT OF CALIFORNIA
21	SAN FRANCI	SCO DIVISION
22	LIFESCAN, INC. and JOHNSON AND JOHNSON,	Case No. 3:12-cv-006360-WHO
23	Plaintiffs,	CONSENT JUDGMENT AND
24	v.	ORDER ON INJUNCTION BOND
25	DECISION DIAGNOSTICS CORP. and	
26	PHARMATECH SOLUTIONS, INC. Defendants.	
27		
28		

WHEREAS, Plaintiffs LifeScan, Inc. and Johnson and Johnson (collectively, "LifeScan") and Defendants Decision Diagnostics Corp. and PharmaTech Solutions, Inc. (collectively "PharmaTech") have settled and resolved the disputes between them in this lawsuit, and consent to this Judgment and Order,

## IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

- (1) This Court has jurisdiction of the parties and subject matter of this action.
- (2) All of LifeScan's claims in this action against PharmaTech, and all of PharmaTech's counterclaims in this action against LifeScan, are hereby DISMISSED WITH PREJUDICE, without costs or attorneys' fees to any party.
- (3) The preliminary injunction in this action [Dkt. 94], as modified by Order dated June 24, 2013 [Dkt. 110], is hereby DISSOLVED.
- (4) The preliminary-injunction bond posted on behalf of LifeScan [Dkt. 111] is hereby EXONERATED with all funds returned to LifeScan's surety.
- (5) LifeScan and PharmaTech agree not to appeal from this Judgment and Order, and waive all right to do so.

IT IS SO ORDERED on May 16, 2016 and JUDGMENT IS ENTERED ACCORDINGLY:

\_\_\_\_\_\_ K. J. District Judge

LifeScan and PharmaTech agree through their undersigned counsel to the entry of this Judgment and Order:

/s/ Gregory L. Diskant
Gregory L. Diskant (admitted pro hac vice)
Eugene M. Gelernter (admitted pro hac vice)
PATTERSON BELKNAP WEBB & TYLER LLP

Attorneys for Plaintiffs LifeScan, Inc. and Johnson and Johnson

Dated: May 12, 2016

/s/ William Rudy

William Rudy (admitted *pro hac vice*) John J. Shaeffer

FOX ROTHSCHILD LLP

Attorneys for Defendants Decision Diagnostics Corp. and PharmaTech Solutions, Inc..

28

24

25

26

27

## Case 3:12-cv-06360-WHO Document 176 Filed 05/16/16 Page 3 of 3

1		
2	I attest that I have received and have on file written permission to sign this Consent Judgment	
3	from all parties whose signatures are indicated by a "conformed" signature (/s/) within this e-filed	
4	document.	
5	/a/Eura wa M. Calamatan	
6	/s/ Eugene M. Gelernter Eugene M. Gelernter (admitted pro hac vice)	
7	Dated: May 12, 2016	
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22 23		
24		
25		
26		
27		
28		
-	-3-	